

Notice of Allowability

Application No.

09/859,497

Examiner

Cicely Ware

Applicant(s)

PILCHER, MICHAEL E.

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/23/2005.
2. ☒ The allowed claim(s) is/are 3, 5, 7, 8, 16, 18, 20, 21 renumbered as 1-8 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

I. Amendments to the Claims:

- a. Claim 3, line 9, delete "_____".
- b. Claim 5, line 8, delete "_____".
- c. Claim 5, line 10, delete "_____".
- d. Claim 7, line 9, delete "_____".
- e. Claim 7, line 10, delete "_____".
- f. Claim 18, line 15, delete "_____".
- g. Claim 18, line 17, delete "_____".
- h. Claim 20, line 14, delete "_____".
- i. Claim 20, line 15, delete "_____".

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The following is a statement of reasons for the indication of allowable subject matter: The instant application discloses a method for generating a constant envelope signal. Prior art references show similar methods but fail to teach: **"multiplying sample values of each of the input signals with corresponding values of the combined signal to generate products", as in claim 3; "the cross-correlating comprising: sweeping one of each of the input signals and the combined signal pass each other; and generating a dot product for each sweep increment between overlapping portions of each of the input signals and the combined signal", as in claim 5; "the selecting comprising: comparing the similarity measurements with each other; and selecting N number of input signals that correspond to N largest similarity measurements, where N is a positive integer and determining a value for N by empirical analysis of combined signals", as in claim 7; "wherein the similarity measurement device generates the similarity measurement by multiplying sample values of each of the input signals with corresponding values of the combined signal to generate products, and summing the products to form the similarity measurement", as in claim 16; "wherein the cross-correlating comprises: sweeping one of each of the input signals and the combined signal pass each other; and generating a dot product for each sweep increment between overlapping portions of each of the input signals and the combined signal", as in claim 18; "wherein the attenuation value generator selects the ones of the input**

**signals by: comparing the similarity measurements with each other; and
selecting N number of input signals that correspond to N largest similarity
measurements, where N is a positive integer, as in claim 20.**

Conclusion


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cicely Ware whose telephone number is 571-272-3047. The examiner can normally be reached on Monday – Friday, 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cicely Ware

cqw
December 13, 2005


**STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**